

**DEPARTMENT OF THE INTERIOR****Minerals Management Service****States' Decisions on Participating in Accounting and Auditing Relief for Federal Oil and Gas Marginal Properties**

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of states' decisions to participate or not participate in accounting and auditing relief for Federal oil and gas marginal properties located in their state for calendar year 2009.

**SUMMARY:** The Minerals Management Service (MMS) published final regulations on September 13, 2004 (69 FR 55076), codified at 30 CFR 204.200 through 204.215, to provide accounting and auditing relief for marginal Federal oil and gas properties. The rule requires MMS to publish in the **Federal Register** the decisions of the states concerned to allow or not allow one or both forms of relief in their state. As required in the

rule, MMS provided states receiving a portion of the Federal royalties with a list of qualifying marginal Federal oil and gas properties located in their state so that each affected state could decide whether to participate in one or both relief options. This notice provides the decisions by the states concerned to allow one or both types of relief.

**DATES:** Effective January 1, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Mary Williams, Manager, Federal Onshore Oil and Gas Compliance and Asset Management, telephone (303) 231-3403, FAX (303) 231-3744, e-mail to [mary.williams@mms.gov](mailto:mary.williams@mms.gov), or mail to P.O. Box 25165, MS 392B2, Denver Federal Center, Denver, Colorado 80225-0165.

**SUPPLEMENTARY INFORMATION:** The rule implemented certain provisions of section 7 of the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 and provides two options for relief: (1) Notification-based relief for annual reporting, and (2) other requested relief, as proposed by

industry and approved by MMS and the state concerned. The rule requires that MMS publish by December 1 of each year, a list of the states and their decisions regarding marginal property relief.

To qualify for the first option of relief (notification-based relief) for calendar year 2009, properties must have produced less than 1,000 barrels-of-oil-equivalent (BOE) per year for the base period (July 1, 2007, through June 30, 2008). Annual reporting relief will begin on January 1, 2009, with the annual report and payment due February 28, 2010; or March 31, 2010, if you have an estimated payment on file. To qualify for the second option of relief (other requested relief), properties must have produced less than 15 BOE per well per day for the base period.

The following table shows the states that have marginal properties, where a portion of the royalties are shared between the state and MMS, and the states' decisions to allow one or both forms of relief.

State	Notification-based relief (less than 1,000 BOE per year)	Request-based relief (less than 15 BOE per well per day)
Alabama .....	No .....	No.
California .....	No .....	No.
Colorado .....	No .....	No.
Kansas .....	No .....	No.
Louisiana .....	Yes .....	Yes.
Michigan .....	Yes .....	No.
Mississippi .....	No .....	No.
Montana .....	No .....	No.
Nebraska .....	No .....	No.
Nevada .....	No .....	No.
New Mexico .....	No .....	No.
North Dakota .....	No .....	No.
Oklahoma .....	No .....	No.
South Dakota .....	No .....	No.
Utah .....	No .....	No.
Wyoming .....	Yes .....	No.

Federal oil and gas properties located in all other states, where a portion of the royalties is not shared with the state, are eligible for relief if they qualify as marginal under this rule. For information on how to obtain relief, please refer to the rule, which can be viewed on the MMS Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/FRNotices/AC30.htm](http://www.mrm.mms.gov/Laws_R_D/FRNotices/AC30.htm).

Unless the information received is proprietary data, all correspondence, records, or information received in response to this notice are subject to disclosure under the Freedom of Information Act (FOIA). If applicable, please highlight the proprietary portions, including any supporting documentation, or mark the page(s) that

contain proprietary data. Proprietary information is protected by the Trade Secrets Act (18 U.S.C. 1905), FOIA, Exemption 4, and Department regulations (43 CFR, Part 2).

Dated: December 1, 2008.

**Gregory J. Gould,**

*Associate Director for Minerals Revenue Management.*

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**INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 731-TA-1020 (Review)]**

**Barium Carbonate From China**

**AGENCY:** United States International Trade Commission.

**ACTION:** Scheduling of an expedited five-year review concerning the antidumping duty order on barium carbonate from China.

**SUMMARY:** The Commission hereby gives notice of the scheduling of an expedited review pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the antidumping

duty order on barium carbonate from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** *Effective Date:* December 8, 2008.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Trainor (202-205-3354), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background.* On December 8, 2008, the Commission determined that the domestic interested party group response to its notice of institution (73 FR 51315, September 2, 2008) of the subject five-year review was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.<sup>1</sup> Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act.

*Staff report.* A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on December 30, 2008, and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

*Written submissions.* As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the

notice of institution,<sup>2</sup> and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before January 7, 2009 and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by January 7, 2009. However, should the Department of Commerce extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

Issued: December 12, 2008.

By order of the Commission.

**William R. Bishop,**

*Hearings and Meetings Coordinator.*

[FR Doc. E8-29996 Filed 12-17-08; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-664]

### In the Matter of Certain Flash Memory Chips and Products Containing the Same Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on November 17, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Spansion, Inc. of Sunnyvale, California and Spansion LLC of Sunnyvale, California. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation, of certain flash memory chips and products containing the same that infringe certain claims of U.S. Patent Nos. 6,380,029, 6,080,639, 6,376,877, and 5,715,194. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Heidi E. Strain, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-3352.

<sup>1</sup> A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

<sup>2</sup> The Commission has found the response submitted by Chemical Products Corp. to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).